

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4318

IN THE MATTER OF:

Served June 14, 1994

Application to Transfer Certificate)
of Authority No. 84 from RICHARD W.)
BUTLER to RICHARD W. BUTLER, JR.)

Case No. AP-94-27

By application filed June 9, 1994, Richard W. Butler (transferor), a sole proprietor, and Richard W. Butler, Jr. (transferee), a sole proprietor (collectively applicants), seek Commission approval of the transfer of Certificate of Authority No. 84.

The application includes information regarding, among other things, transferee's facilities, proposed tariff, finances, and regulatory compliance record. Also included is a copy of the certificate transfer agreement. The application is available for inspection at the office of the Commission during its regular business hours.

Transferee proposes conducting operations with a 15-passenger van to be acquired from transferor. Transferee's proposed tariff contains per capita sightseeing rates. Transferee proposes to conduct the same operations as transferor.

Under Article XI, Section 11(a) of the Compact, the Commission may approve the transfer of Certificate of Authority No. 84 if the Commission finds said transfer to be in the public interest, which inter alia requires a finding of transferee's fitness.¹

Pursuant to Commission Rule No. 6, this order and fulfillment of its requirements will provide notice of this application.

THEREFORE, IT IS ORDERED:

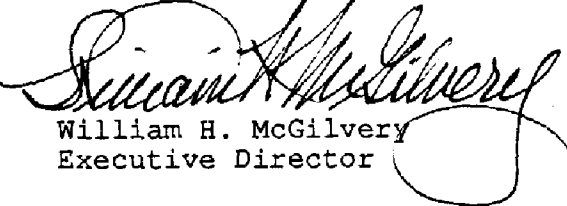
1. That applicants shall publish once in a newspaper of general circulation in the Metropolitan District, no later than June 24, 1994, notice in the form prescribed by the staff of the Commission.
2. That applicants shall file with the Commission, no later than July 15, 1994, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.
3. That any person wanting to protest the application, in accordance with Commission Rule No. 13 and Regulation No. 54-04(a), and any person wanting to comment on the application, in accordance

¹ In re Philip J. Pearson, t/a Milling Tours, & Keith Jones, No. AP-87-17, Order No. 3073 (Sept. 23, 1987).

with Regulation No. 54-04(a), shall file such protest or comment at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than July 15, 1994, and shall simultaneously serve a copy of such protest or comment on applicant's attorney, Joel C. Weingarten, Esquire, 1616 H Street, N.W., #813, Washington, DC 20006.

4. That any person seeking a formal oral hearing on this matter, in accordance with Commission Regulation No. 54-04(b), shall request one no later than July 15, 1994, and shall simultaneously serve a copy of such request on applicant's attorney, Joel C. Weingarten, Esquire, 1616 H Street, N.W., #813, Washington, DC 20006.

FOR THE COMMISSION:


William H. McGilver
Executive Director